

# United States District Court

## Northern District of Ohio

UNITED STATES OF AMERICA

v.

KATHLEEN DeSALVO

**JUDGMENT IN A CRIMINAL CASE**Case Number: **1:07CR156**

USM Number: 31197-160

VIRGINIA HEAREY

Defendant's Attorney

**THE DEFENDANT:**

- ☒ pleaded guilty to count(s): 1 of the Indictment.
- ☐ pleaded nolo contendere to counts(s) \_\_\_ which was accepted by the court.
- ☐ was found guilty on count(s) \_\_\_ after a plea of not guilty.

The defendant is adjudicated guilty of these offense(s):

<u>Title &amp; Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1341	Mail Fraud	01/31/2007	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on counts(s) \_\_\_.

☐ Count(s) \_\_\_ (is)(are) dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and the United States Attorney of material changes in the defendant's economic circumstances.

AUGUST 21, 2007

Date of Imposition of Judgment

**FILED**

SEP 05 2007

CLERK OF COURTS  
U.S. DISTRICT COURT, N.D.O.  
CLEVELAND

*Christopher A. Boyko*

Signature of Judicial Officer

CHRISTOPHER A. BOYKO, United States District Judge

Name &amp; Title of Judicial Officer

*September 5, 2007*

Date

CASE NUMBER: 1:07CR156  
DEFENDANT: KATHLEEN DeSALVO

Judgment - Page 2 of 6

## IMPRISONMENT

The defendant is committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 51 MONTHS.

The defendant shall participate in the Bureau of Prison's Inmate Financial Responsibility Program. The defendant shall participate in a mental health evaluation and/or mental health counseling at the direction of the Bureau of Prisons.

☐ The court makes the following recommendations to the Bureau of Prisons:

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district.

☐ at \_\_\_ on \_\_\_.

☐ as notified by the United States Marshal.

☒ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2:00 p.m. on \_.

☒ as notified by the United States Marshal, but no sooner than August 30, 2007

☐ as notified by the Probation or Pretrial Services Office.

## RETURN

I have executed this judgment as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant delivered on \_\_\_\_\_ to \_\_\_\_\_

at \_\_\_\_\_, with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By \_\_\_\_\_  
Deputy U.S. Marshal

CASE NUMBER: 1:07CR156  
DEFENDANT: KATHLEEN DeSALVO

Judgment - Page 3 of 6

## SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of 3 YEARS.

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

- ☒ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☐ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

## STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependants and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

CASE NUMBER: 1:07CR156

DEFENDANT: KATHLEEN DeSALVO

Judgment - Page 4 of 6

## **SPECIAL CONDITIONS OF SUPERVISED RELEASE**

The defendant shall provide the probation officer access to all requested financial information.

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer.

The defendant shall participate in an outpatient mental health treatment program as directed by the probation officer. The defendant shall be screened and treated for depression.

CASE NUMBER: 1:07CR156  
 DEFENDANT: KATHLEEN DeSALVO

Judgment - Page 5 of 6

## CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the Schedule of Payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
Totals:	\$ 100.00	\$ WAIVED	\$ 3,450,000

- ☐ The determination of restitution is deferred until \_\_. An amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.
- ☒ The defendant must make restitution (including community restitution) to the following payees in the amounts listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment unless specified otherwise in the priority order of percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>*Total Loss</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
VICTIMS (List Attached)	\$3,450,000	\$3,450,000	100%
 <u>TOTALS:</u>	 \$ 3,450,000	 \$3,450,000	 \$ 3,450,000

- ☐ Restitution amount ordered pursuant to plea agreement \$\_\_\_\_\_
- ☐ The defendant must pay interest on restitution and a fine of more than \$2500, unless the restitution or fine is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. §3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. §3612(g).
- ☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:
- ☐ The interest requirement is waived for the ☐ fine ☒ restitution.
- ☐ The interest requirement for the ☐ fine ☐ restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994 but before April 23, 1996.

Andover at Waterbury Homeowners  
Association  
P. O. Box 39149  
North Ridgeville, Ohio 44039  
\$3,499.01

Cambridge Village Condominium  
Association - Carlyle Management  
28001 Chagrin Blvd.  
Cleveland, Ohio 44122-4543  
\$177,650

Clubside Manor Condominium Association  
R. N. Landis Management Company  
6555 Wilson Mills Rd. #101  
Mayfield Village, Ohio 44143  
\$109,310

Quail Point Condominium Association  
6319 Glenwood Dr.  
Mentor, Ohio 44060  
\$60,000

**RE: DESALVO, Kathleen**

Clarkwood Condominium No. 2  
3659 S. Green Rd., Ste. 100  
Beachwood, Ohio 44122  
\$19,142, plus interest

Clarkwood Townhouse # 4  
Management One  
24400 Highland Rd., Ste. 67  
Richmond Heights, Ohio 44143  
\$14,311.74

Bayridge Condominium Association  
30225 Fern Dr.  
Willowick, Ohio 44095

Benton Village Condominium  
Association  
313 E. 235<sup>th</sup> St.  
Euclid, Ohio 44123

Bliss Wood Village Homeowners  
22651-G Fox Ave.  
Euclid, Ohio 44123

Butternut Grove/Five-Point  
Development  
25700 Science Park Dr., Ste. 270  
Beachwood, Ohio 44122

Clarkwood Condominium Association,  
#3  
4490 Granada Blvd., # 1  
Warrensville Heights, Ohio 44128

Congress Square II Condominium  
Association  
5300 Riverside Dr.  
P.O. Box 81009  
Cleveland, Ohio 44181

Villas on Troubadour Homeowners  
Association  
9821 Olde Eight Rd., Ste. C  
Northfield, Ohio 44067  
\$75,936.48

Auburn Crossing Condominium Owners  
157 Chadwick Ct.  
Auburn Township, Ohio 44023

Bel Acre Condominium Association  
7647 Ellington Pl.  
Mentor, Ohio 44060

Berkshire Condominium Association  
11820 Edgewater Dr., # 404  
Lakewood, Ohio 44107

Bridgewater Village Condominium  
Association  
118 Chimney Ridge Lane  
Chardon, Ohio 44024  
(\$107,676.90)

Canturbury Crossing Condominium Unit  
Owners  
5234 Queen Anne Way  
Painesville, Ohio 44077

Clarkwood Townhouse Condominium, #1  
4500 Granada Blvd., # 14  
Warrensville Heights, Ohio 44128

Courtyards of New Hampton Association  
1348 Durham Dr.  
Broadview Heights, Ohio 44147  
\$275,562.24

**RE: DESALVO, Kathleen**

Deepwood Condominium Association  
8276 Deepwood Blvd., Unit # 6  
Mentor, Ohio 44060  
\$94,400 (\$106,500)

Eagle's Club at Quail Hollow  
Condominium Owners  
7824 Rock Dove Lane  
Concord Township, Ohio 44077  
\$99,527.45

Easton Creek Condominium  
Association/  
River Oaks Homes  
P.O. Box 754  
Painesville, Ohio 44077

Fiddler's Creek Condominium Unit Owners  
700 Fiddler's Creek Dr.  
Painesville, Ohio 44077

Fox Hollow at Woodhawk  
Condominium Association  
180 Fox Hollow Dr., # 311  
Mayfield Heights, Ohio 44124

Golden Gate Villa Condominium  
Association  
1414 Golden Gate Blvd., A-102  
Mayfield Heights, Ohio 44124

Greenbriar Commons Condominium  
Association  
508 Trevitt Circle North  
Euclid, Ohio 44143

Grove Court Condominium Association  
1900 Grove Ct., Ste. 118  
Cleveland, Ohio 44113

Hampton Bay Condominium Association  
7078 Rushmore Way  
Concord, Ohio 44077  
\$95,330.37

High Point of Geauga Condominium  
Association  
15056 Primrose Lane  
Middlefield, Ohio 44062

Kenilworth Gardens Condominium  
Association  
2395 Euclid Heights Blvd., # 5  
Cleveland Heights, Ohio 44106

Kilroy Point Condominium Association  
P.O. Box 949  
Chardon, Ohio 44024

Lake House  
11850 Edgewater Dr.  
Lakewood, Ohio 44107

Lake Hearst Homeowners  
155 Lake Hearst Dr.  
Bratenahl, Ohio 44108

Loreto Landing  
34600 Chardon Rd.  
Willoughby Hills, Ohio 44094  
\$10,359.56

Mallard Bay Condominium Association  
3950 Mallard Bay  
Perry Village, Ohio 44081  
\$13,000 (\$15,700)



**RE: DESALVO, Kathleen**

Mainer's Point Condominium  
Association  
34731 Summerset Dr.  
Solon, Ohio 44139  
\$197,072.42

Nautical Ridge Condominium  
Association/River Oak Homes  
P.O. Box 754  
Painesville, Ohio 44077

Knob Hill Condominium Unit Owners  
Association  
6000 Knob Hill Dr., # 101  
Chagrin Falls, Ohio 44023

Riverbend Condominium Owners  
1444 W. 10<sup>th</sup> St., Ste. 508  
Cleveland, Ohio 44113  
\$80,000

Sandy Point Condominium Owners  
6724 Bayside Dr.  
Madison, Ohio 44057  
\$1,230.53

Stratford Village Neighborhood  
Association  
240 Lexington Circle  
Broadview Heights, Ohio 44147

Terrace Commons Condominium  
Owners  
7305 Scottsdale Circle  
Mentor, Ohio 44060

The Landing at Dougan  
3948 Dougan's Landing  
Perry, Ohio 44081

Meadow Lakes Homeowners Association  
37000 Center Ridge Rd.  
North Ridgeville, Ohio 44039

New Hampton Homeowners  
2170 Fordum Lane  
Broadview Heights, Ohio 44147

Pembroke Place Homeowners  
14300 Ridge Rd., # 100  
North Royalton, Ohio 44133

Sandstone Ridge Homeowners  
31388 Industrial Parkway  
North Olmsted, Ohio 44070

Southwood Estates Condominium  
Association  
3155 Lost Nation Rd., Unit C  
Willoughby, Ohio 44094  
\$2,835.25

Sunrise Cove II Condominium Association  
9820 Cove Dr., G-28  
North Royalton, Ohio 44133

The Brooks/B.R. Knez Constructions, Inc.  
3375 Blackmore Rd.  
Perry, Ohio 44081

Thousand Oaks Estates Homeowners  
Association  
9191 Lancewood Dr.  
Macedonia, Ohio 44056

**RE: DESALVO, Kathleen**

Tinkers Green Homeowners  
Association/Five-Point Development  
25700 Science Park Dr., Ste. 270  
Beachwood, Ohio 44122

Villas's at Mentor on the Lake  
Condominium Association  
8050 Harbor Creek Dr., # 2703  
Mentor-on-the-Lake, Ohio 44060

Westbury Place Homeowners  
5107 Wakerly Dr.  
Brunswick Hills, Ohio 44212  
\$17,809.34

Wildwood Condominium  
Association/B.R. Knez Construction, Inc.  
3375 Blackmore Rd.  
Perry, Ohio 44081

Twin Oaks Homeowners  
2968 Trisch Circle  
Twinsburg, Ohio 44087

Wellesley Chase Homeowners  
8321 Hemmingway Lane  
Concord Township, Ohio 44024

Westwood Village Condominium  
Association  
762 Mentor Ave., # 21  
Painesville, Ohio 44077

Woodsedge Condominium Association  
17427 Beech Grove Trail  
Chagrin Falls, Ohio 44023  
\$78,545

**RE: DESALVO, Kathleen**

Tinkers Green Homeowners  
Association/Five-Point Development  
25700 Science Park Dr., Ste. 270  
Beachwood, Ohio 44122

Villas's at Mentor on the Lake  
Condominium Association  
8050 Harbor Creek Dr., # 2703  
Mentor-on-the-Lake, Ohio 44060

Westbury Place Homeowners  
5107 Wakerly Dr.  
Brunswick Hills, Ohio 44212  
\$17,809.34

Wildwood Condominium  
Association/B.R. Knez Construction, Inc.  
3375 Blackmore Rd.  
Perry, Ohio 44081

Twin Oaks Homeowners  
2968 Trisch Circle  
Twinsburg, Ohio 44087

Wellesley Chase Homeowners  
8321 Hemmingway Lane  
Concord Township, Ohio 44024

Westwood Village Condominium  
Association  
762 Mentor Ave., # 21  
Painesville, Ohio 44077

Woodsedge Condominium Association  
17427 Beech Grove Trail  
Chagrin Falls, Ohio 44023  
\$78,545